# DISARMAMENT

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## Conference on Disarmament concludes 1994 session

### Sets up intersessional meetings for nuclear test ban treaty negotiations

**Agenda reform not yet ripe**

The changes in the political map in the post-cold war era and the conclusion of the Conference on Disarmament's negotiations on the Chemical Weapons Convention in 1992 have left many members of the Conference convinced of the need to search for a new agenda in tune with the changing times. The Special Coordinator on the issue of the *agenda* appointed by the Conference on Disarmament in 1994, Ambassador Lars Norberg of Sweden, reported on the bilateral and informal open-ended discussions he had held on the subject to a plenary session of the Conference on 1 September. He had explored the possible changes that might be made immediately to the agenda and those that might wait until the conclusion of the CTBT and a fissile material cut-off treaty. The Conference has worked under a permanent agenda—the so-called Decalogue—since the 1978 first special session of the General Assembly devoted to disarmament. As the Decalogue was approved by the General Assembly, most delegations consider that the Assembly is the appropriate body to make recommendations on its revision.

Each year the Conference chooses from that permanent list of items a short agenda for its annual session. In 1994, the CD dealt with four items: the nuclear test ban, negative security assurances, transparency in armaments and preventing an arms race in outer space. Ambassador Norberg reported that there were still conflicting views over the appropriate balance to maintain between the nuclear items and those dealing with conventional weapons.

**NTB Committee to be re-established; others await agreement**

The Conference did not agree to recommend the re-establishment of three ad hoc committees at the beginning of its 1995 session—transparency in armaments, the prevention of an arms race in outer space and negative security assurances. The recommendation for the re-establishment of the Ad Hoc Committee on a Nuclear Test Ban, however, was not in doubt. Discussions will now continue in the margins of the First Committee on both the agenda for 1995 and the wider questions connected with the Conference's agenda. Regardless of the outcome of discussions during the General Assembly, the Conference will have to prepare its agenda at the beginning of its 1995 session as well as tackle the issue of agenda reform. In that regard, some proposals have been advanced calling for the Conference to broaden its scope of activities, that is, beyond the negotiation of multilateral treaties, conventions and agreements, to the negotiation of politically binding agreements on confidence-building measures or on regional-type agreements.



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# Test ban treaty talks produce "rolling text"

## Will continue in November

During the second and third parts of the Conference on Disarmament, from 16 May to 1 July and from 25 July to 7 September, the *Ad Hoc Committee on a Nuclear Test Ban* held intensive formal and working group meetings to fulfil its mandate to negotiate a universal and multilaterally and effectively verifiable comprehensive nuclear test ban treaty. The Chairman of the Ad Hoc Committee, Ambassador Miguel Marín Bosch of Mexico, presented to the penultimate plenary session of the Conference a report on the work of the Committee, together with a "rolling text", containing the results of the negotiations so far in an appendix (the CD's report to the General Assembly is contained in CD/1281).

Part 1 of the appendix takes in draft treaty provisions which "command a certain degree of consensus at this stage", and covers measures to redress a situation and to ensure compliance, settlement of disputes, privileges and immunities, and signature, ratification, accession, depositary (the United Nations Secretary-General), the status of the protocol(s) and annex(es) and authentic texts. Part 2 of the appendix includes heavily bracketed "provisions which need more extensive negotiation", such as the preamble, scope, peaceful uses of nuclear energy, the organization and a related protocol, reservations, entry into force, duration and withdrawal, amendments, reviews, national implementation measures and security assurances for States Parties.

**Further meetings this year**

The Conference adopted the report of the Ad Hoc Committee on a Nuclear Test Ban at its last plenary meeting on 7 September and approved the convening of intersessional meetings of the Ad Hoc Committee, **28 November–6 December 1994**, with the possibility of extending those dates **to 21-25 November** and **19-23 December 1994**, as well as to **9-20 January 1995.**

**Re-establishment of Ad Hoc Committee**

The Conference also approved the recommendations made by the Ad Hoc Committee that the appendix described above be used for further negotiation and drafting of the nuclear test ban treaty and that the Committee itself be re-established at the outset of the Conference's 1995 session.

*"We have now had five decades of nuclear testing —and are in the fifth decade of calls to stop it. By any fair description, the world's pursuit of a CTBT has been a long-distance race....We are in the final stages of our race. The finish line is within our view. We must pick up the pace. We must agree to cease nuclear explosive testing without exceptions, without artificial linkages, without delay —to conclude a CTBT before the chance of our lifetimes has passed."*
—The Honorable John D. Holum, Director, United States Arms Control and Disarmament Agency at the 686th plenary meeting of the Conference on Disarmament on 4 August 1994.

# CTBT in progress

**Progress registered**

The compilation of the myriad proposals put forward this year into a rolling text, even with its current divisions, is widely seen as representing progress towards the early achievement of a CTBT. Much negotiation is still needed. Governments now have before them a basis on which to work, no matter how bracketed. The intersessional meetings of the Ad Hoc Committee, which will be the only activity of the Conference during that period, will allow delegations to concentrate their efforts on those areas in which agreement has not been reached. Some of those provisions, such as the scope of the future treaty, are key elements in its final accomplishment. ☞

**CTBT progress continued**

**Scope**

Most delegations have supported the use in the future treaty of the broad commitment contained in the Partial Test Ban Treaty, that is, an undertaking "to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion". The United Kingdom and France have proposed that under certain exceptional circumstances some explosions should be permitted. It is understood that the proposal refers to the retention of the possibility of conducting safety tests.

Still pending is the issue of prohibiting preparations for nuclear testing, as proposed by Sweden in its draft treaty put forward in 1993. Many States do not support that proposal as it would most likely put a heavy burden on the implementing agency charged with verification of compliance and entail high costs. Related to this issue is the question of the closure of existing test sites, which is not dealt with in the section on scope.

Agreement has not yet been reached on the issue of peaceful nuclear explosions (PNEs). A bracketed section entitled "Peaceful use of nuclear energy and peaceful nuclear explosion" was introduced by China and is included in the rolling text, together with a footnote explaining that a number of delegations oppose the inclusion in the treaty of any section on "so-called peaceful nuclear explosions".

**Security assurances in the CTBT**

China has proposed that the CTBT include a provision by which the nuclear-weapon States would "undertake not to be the first to use nuclear weapons against each other" and "not to use or threaten to use nuclear weapons against other (that is, non-nuclear-weapon) States Parties". The Chinese delegation explained in its working paper containing the proposal that it considered that, since all Parties would agree not to conduct nuclear-weapon tests, they should be entitled to receive security assurances that they would not come under nuclear attack. China also explained that the proposal does not affect its own long-standing unconditional declared guarantee not to use or threaten to use nuclear weapons against any non-nuclear-weapon States.

**Verification and compliance**

On the basis of a paper presented by its Chairman, Ambassador Wolfgang Hoffmann of Germany, Working Group 1 on verification worked intensively throughout the session to develop possible elements for a verification regime. During the third part of the session, many experts in the field made presentations on the technical aspects of the different verification measures being considered in order to assist delegations in identifying the verification elements needed for a future ban and laying the groundwork for political decisions.

**Global seismic monitoring system**

The bulk of the working papers and documents presented to the Committee during the session were devoted to an examination of proposals for verification arrangements for the treaty. A global seismic monitoring system is generally considered to be the basic requirement for an effective CTBT international monitoring system. While the Conference's Group of Scientific (or Seismic) Experts presented to the Ad Hoc Committee a detailed account of the preparations it was undertaking for the third technical test (GSETT-3) of the concepts it has developed for an international seismic monitoring system (CD/1254), the Working Group devoted much time to assembling verification elements ranging from low-key consultation and clarification arrangements to highly technical considerations of seismic and non-seismic monitoring techniques, transparency measures and the more sensitive area of on-site inspections.

**Non-seismic monitoring techniques**

In the rolling text are proposals for the inclusion of such non-seismic techniques as atmospheric radionuclide monitoring, a hydroacoustic monitoring of underwater explosions, the establishment of a network of infrasound stations, a global satellite monitoring system, a ground-based optical monitoring system and a ground-based electromagnetic pulse (EMP) monitoring system. These techniques are generally considered to play a complementary, if not supplementary, role in the seismic monitoring system.



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*Officers of the Nuclear Test Ban Committee* for the 1994 session and for the intersessional meetings

*Chairman, Ad Hoc Committee*:
Ambassador Miguel Marín Bosch (Mexico)

*Chairman, Working Group 1 on verification and compliance*: Ambassador Wolfgang Hoffmann (Germany);
Friends of the Chair (FOCs):
*On seismic techniques*: Mr. Ajit Kumar (India);
*On non-seismic techniques*: Dr. Peter Marshall (UK);
*On on-site activities*: Mr. Victor S. Slipchenko (Russian Fed.)
*On transparency measures*: Mr. Bertil Roth (Sweden);

*Chairman, Working Group 2 on legal and institutional issues:* Ambassador Ludwik Dembinski (Poland);
Friends of the Chair:
*On organization*: Mr. Roberto Jaguaribe (Brazil);
*On entry into force:* Ambassador Alessandro Vattani (Italy);

*Chairman, Ad Hoc Group of Scientific Experts*,
Mr. Ola Dahlman (Sweden)
*Scientific Secretary:* Mr. Frode Ringdal (Norway).

*Secretary of the Ad Hoc Committee and Group of Scientific Experts:* Ms. Jenifer Mackby.

**Testing the concept of a seismic monitoring system**

The Conference's *Group of Seismic Experts* is poised to begin on 1 January 1995 the full-scale conduct of its third technical test, though not all seismological stations will be ready to participate immediately. The Group concluded its last session on 19 August and at that time was able to report that 58 seismological stations in 34 countries were committed to participation in the Alpha network (described below).

Upon the request of the Ad Hoc Committee on a Nuclear Test Ban, the Group had prepared a report on the overall concept of the GSETT-3 in March (CD/1254) and included in it information on the function and components of the international seismic monitoring system (ISMS) and on the organization and costs of the experiment. The Group described GSETT-3 as a realistic test on a global scale of the new concepts of the ISMS, which it had developed after its tests conducted in 1984 and 1991. The Group thus will be testing: *(a)* a single centralized International Data Centre (IDC) (for the purposes of the test, it is located in Washington D.C.); *(b)* a specifically designed high-quality two-tiered seismographic network (the first tier of Alpha stations would report continuously to the IDC and a second tier Beta network of stations would provide additional seismological data as needed to improve the accuracy of the location of a seismic disturbance initially detected by the Alpha network); and *(c)* a modern communications system providing continuous data to the IDC.

The Ad Hoc Group, which has gained a great deal of expertise since 1976 in the development of concepts for a seismological system for the monitoring of underground nuclear explosions, has become closely associated with the negotiations in the Nuclear Test Ban Committee. The general expectation is that the scientific and technological results of GSETT-3, as well as the organizational and cost aspects of the experiment, will be highly useful to the Committee as it moves to refining and finalizing decisions on the seismic network that the majority of delegations believe should be the cornerstone of the verification arrangements of the CTBT.

**Institutional issues**

As to the organization to be established to oversee what will surely be the complex arrangements for fulfilment of the treaty's terms, some delegations have proposed that the International Atomic Energy Agency (IAEA) be entrusted with all the verification arrangements, while others have suggested that an independent organization be established. Still others have underlined the need to wait until comparative cost estimates have been made on the various proposals.

**Review of the treaty**

The United States has proposed that at the time of the review of the treaty's provisions "a State Party may ..., pursuant to an affirmative decision on its part, elect to withdraw from the Treaty". A footnote in the rolling text states that the proposal was not discussed. The purpose of the proposal seems to be to permit a State Party to withdraw from the treaty on easier terms than would be set by a "Duration and Withdrawal" article that would allow a State Party to withdraw under exceptional circumstances that would jeopardize its supreme interests.

# Other CD topics

## Security Assurances Committee still deadlocked

The Chairman of the the *Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons* (so-called negative security assurances), Ambassador Baron Alain Guillaume of Belgium, presented the report of his Committee (included in the overall report of the Conference to the General Assembly, CD/1281), noting in conclusion that the discussion of the item in 1994 had been extensive, even if no specific proposal could be elaborated.

An important part of the annual session had been devoted to an informal discussion of the results of a questionnaire circulated by the Chairman seeking delegations' views on such issues as threat perception, especially nuclear threat, potential dangers to national and international security, the scope of guarantees and the right to protection, the beneficiaries and providers of guarantees, the scope and type of sanctions in a system of collective security, including a possible role for the United Nations, and the framework for a possible agreement.

### P-5 hold talks on security assurances

The Committee was informed that the five nuclear-weapon States had held consultations on security assurances. At this stage, it seems that the five nuclear- weapon States have agreed on the usefulness of consultations among themselves on the basis of their unilaterally declared security assurances, but have not yet reached any formula for harmonizing them.

### NPT and CTBT connection

The importance of security guarantees has been stressed repeatedly by the non-nuclear-weapon States as far back as during the negotiations leading up to the *Treaty on the Non-Proliferation of Nuclear Weapons*, and has been on the agenda of the Conference on Disarmament since its inception. The five permanent members of the Security Council have all made unilateral declarations, China's being a non-conditional assurance never to use nuclear weapons against non-nuclear-weapon States. The guarantees of the Western countries are conditional on adherence by the non-nuclear-weapon State to the NPT or other such regional arrangement and on the non-nuclear-weapon State not participating in an attack in alliance with a nuclear-weapon State. With the adoption of the basic provisions of its military doctrine last November, the Russian Federation has changed the assurance declared by the former USSR, bringing its guarantee closer to that of the Western nuclear-weapon States.

The current international security situation and the reductions taking place in the nuclear arsenals of the major powers have given rise to hopes among non-nuclear-weapon States that the permanent five would be able to harmonize their guarantees in a binding international agreement that would have effective compliance arrangements. China has proposed that the CTBT incorporate a provision calling for a commitment by the nuclear-weapon States not to be the first to use nuclear weapons.

### Draft Protocol on Security Assurances

On 6 September, just before the end of the Conference's session, some non-nuclear-weapon States members of the Conference (Egypt, Ethiopia, Indonesia, Islamic Republic of Iran, Kenya, Mexico, Mongolia, Myanmar, Peru, Sri Lanka and Venezuela), Parties to the NPT, presented a *Draft Protocol on Security Assurances* (CD/1277), which they proposed for inclusion as an integral part of the NPT. The Protocol is based on a straightforward formula in which the five nuclear-weapon States would pledge not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

## Conference favours closer coordination with Peaceful Uses of Outer Space Committee

In presenting the report of the *Ad Hoc Committee on the Prevention of an Arms Race in Outer Space* on 1 September (CD/1271), Mrs. Bauta Soles of Cuba underlined that the need to improve the existing legal regime governing activities in outer space and the need to work towards confidence-building measures in the field continued to be the two overriding themes of the work of the Committee this year. The Ad Hoc Committee registered little movement towards a convergence of views on those two subjects, but did mark progress in one area. The Committee concluded that closer coordination between itself and the the Committee on the Peaceful Uses of Outer Space (COPUOS) "on items of mutual concern was favoured". Two areas for possible coordination of efforts relate to the control of space debris and guidelines regulating nuclear power sources in outer space. Views supporting closer links to the Conference on Disarmament have been expressed in the framework of the COPUOS as well (e.g., see United Nations Press Release, OS/1659 of 9 June 1994).

## Mandate for fissile material cut-off negotiations under discussion

The Special Coordinator on arrangements for the negotiation of a *treaty banning the production of fissile materials for nuclear weapons or other explosive devices*, Ambassador Gerald Shannon of Canada, reported at the last meeting of the Conference on 7 September that agreement had not yet been reached on a mandate for the fissile material cut-off negotiations. All delegations however agreed that the Conference was the appropriate forum for the negotiations and that an ad hoc committee should be established once a mandate was agreed upon. The Conference requested that Ambassador Shannon continue consultations on the mandate in order to enable the convening of an ad hoc committee as soon as possible.

While delegations from the Western and Eastern European Groups supported the adoption of a mandate based on the terms outlined in resolution 48/75 L of 16 December 1993, the main aim of some members of the non-aligned group is that the negotiations encompass issues revolving around the already existing stockpiles of fissile material, and not be limited to a prohibition of the further production of such materials.

The debate on the substance of the mandate will continue during the 49th session of the General Assembly, when the Assembly takes up the item entitled "Prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices".

## "Some progress" on transparency in armaments reported

The report of the *Ad Hoc Committee on Transparency in Armaments* (included in the overall report of the Conference to the General Assembly, CD/1281/Rev.1) registered "some progress in the understanding of the issues under consideration".

The views expressed in the Committee concerning the UN Register of Conventional Arms are echoed for the most part in the report of the Group of Governmental Experts recently submitted to the General Assembly (see further on in this issue). The mandate of the Ad Hoc Committee emanated from the same resolution as that which created the Register. Resolution 46/36 L had requested the 1994 Group of Governmental Experts to take into account the views of the Conference in its report. As the experts' report has already been submitted, it is the opinion of some delegations that the Conference has concluded its work on the item.

Other delegations do not share that view and consider that the Conference, as a multilateral negotiating body, has much to accomplish in the field of confidence-building, openness and transparency in military matters. For example, the Netherlands proposed to start a drafting exercise on a proposal it advanced for a global exchange of military information on the organization, structure and size of armed forces. Italy presented two concrete formats for reporting conversion or closure of military production facilities. Romania proposed elaboration of a code of conduct for international transfers of conventional weapons. Also, various proposals were made concerning the expansion of the Register.

## NPT Parties continue preparations for 1995 Conference

The *Preparatory Committee for the 1995 Conference of Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)* held its third session in Geneva 12-16 September, continuing the organizational preparation for the 1995 Conference. Of the current 165 States Parties, 89 participated in the third session. The general exchange of views on matters of substance again brought to the fore that while the majority of States Parties considered the Treaty as the cornerstone of the nuclear non-proliferation regime and favoured its extension, there was a wide range of views on the length of any such extension or extensions.

**Draft agenda and rules still under discussion**

The Committee agreed tentatively on the items to be included in a *provisional agenda* for the 1995 Conference, forwarded by the Committee Chairman, Ambassador Isaac E. Ayewah of Nigeria, but decided to finalize its recommendation for the agenda at its **next meeting**, scheduled for **23-27 January 1995** in New York. Considerable progress was made on several of the *draft rules of procedure* of the Conference which will need finalization at the next session of the Committee.

**Background papers**

The Preparatory Committee also reviewed the documentation prepared by the UN Secretariat, the International Atomic Energy Agency (IAEA), the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), and the South Pacific Forum. For a list of the background documents requested by the Preparatory Committee, see the January–February issue of the *Newsletter* this year. Those documents will be further updated in the light of current developments for submission to the Conference.

**Non-Parties**

In accordance with the decision of the previous session, Algeria, Argentina, Brazil, Chile, Israel, Pakistan and Ukraine, all non-Parties to the NPT, attended the meeting as observers.

**NGOs express views**

Following the decision of the Preparatory Committee at its second session, representatives of non-governmental organizations were able to attend meetings of the Preparatory Committee. Taking advantage of this first-time opportunity, a large turnout of 52 NGO representatives prominent in the field of nuclear disarmament and non-proliferation attended the third session. The NGOs held a briefing for interested delegations on the margins of the Committee to voice their views on matters of substance, in particular on the subject of extending the Treaty. Views ranged widely. Little support was expressed for an indefinite and unconditional extension of the Treaty, and even less for no extension of the NPT at all. The majority of speakers supported the option of an extension of a fixed period or periods, tied in some way to progress in nuclear disarmament, particularly in the achievement of a CTBT.

## Disarmament Commission reports to General Assembly

The *Report of the Disarmament Commission* to the 49th session of the General Assembly, contained in Supplement No. 42 (A/49/42), does not recommend any action for the General Assembly to take on the pivotal question the Commission debated during its May session this year. The issue on which most delegations focused was "the role of science and technology in the context of international security, disarmament and other related fields", for which a set of draft guidelines and recommendations had been developed in previous sessions.

**Role of science and technology in the context of international security, disarmament and other related fields**

Ambassador Peggy Mason of Canada, who had chaired the drafting group on the subject in 1993 and Working Group II in 1994, had prepared the groundwork for the May meeting well in advance of the session through many informal contacts and a revised Chairman's non-paper.

Intensive negotiations took place on the language of the guidelines, especially with respect to the transfer for peaceful purposes of high technology with military

applications. Despite those efforts, differences between supplying and receiving States were not overcome. Thus the Working Group did not agree on the draft guidelines and the item was not recommended for further consideration in 1995, with the effect that it would be postponed indefinitely.

On that issue, in a general way, suppliers and recipients are coming from different perspectives, the suppliers stressing their responsibility to ensure that any transfer of high technology not be diverted to military purposes and the recipients maintaining that access to high technology must not be restricted on the basis of any decision-making processes that would exclude the recipients or limit the economic or social development of those countries.

The question is one of overriding importance on the multilateral level and has implications, *inter alia*, for the implementation of the Chemical Weapons Convention, further development of the UN Register of Conventional Arms, the strengthening of the non-proliferation regime in general, the peaceful uses of nuclear energy, the Non-Proliferation Treaty and the negotiations on a nuclear test ban treaty.

When presenting the report of the Working Group, Ambassador Mason underlined that it was not enough that many participants could embrace the language in the working paper; all delegations needed to agree on it. She felt that the attempt to reach agreement on this sensitive subject had been a worthwhile effort and would continue to be so.

**Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons**

Presenting the report of Working Group I, Ambassador Volodymyr D. Khandogy of Ukraine stressed that, though no consensus had yet been reached on a draft document on the table—the discussion took as a basis for its work the Chairman's paper of 20 April 1993, A/CN. 10/185—he felt that the work in 1994 "laid a promising foundation for the discussion of this agenda item in the future". The Working Group in fact recommended that the item be included in the agenda of the Disarmament Commission for conclusion at its 1995 session. The organizational meeting of the Commission, to take place in December, will decide on the agenda of the 1995 session.

**International arms transfers, with particular reference to General Assembly resolution 46/36 H**

Ambassador Luis Fernando Jaramillo of Colombia, Chairman of Working Group III, reported on the Group's deliberations on the new item entitled "International arms transfers, with particular reference to General Assembly resolution 46/36 H", the question of illicit arms traffic. The Group had begun to examine the issue and to set parameters for work in future years. The Chairman's working paper, contained in the overall report of the Disarmament Commission, reflects his own views on the most important items considered by the Working Group. The Chairman expressed optimism that the Commission would be able, in the course of its deliberations over the next several sessions, to make recommendations that would serve as a basis for some form of control over clandestine arms sales and acquisitions. At the close of the session, he reflected on the fact that, although weapons of mass destruction were much more conspicuous and sophisticated, it was, in fact, small conventional weapons that had caused the world more death and destruction.

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**Ambassador Luis Valencia Rodriguez** of **Ecuador** was elected Chairman of the First Committee on 20 September, the first day of the 49th session of the General Assembly. Since 1991, he has been an Independent Expert in the UN Commission on Human Rights in Geneva. He will continue to search for ways to rationalize and reform the work of the First Committee, taking into account the working paper presented by the First Committee Chairman during the 48th session, Ambassador von Wagner of Germany, contained in document A/48/688/Add. 1 of 9 September 1994. The First Committee will begin its substantive work on 17 October, having held several organizational meetings the week before.

As at 28 September 1994, 82 States had submitted reports to the Secretary-General for the calendar year 1993, including most of the major exporters. Thus the bulk of the international arms trade in the seven categories covered by the Register has been reported. A total of 90 Governments had submitted reports for the calendar year 1992.

# UN Register of Conventional Arms

### Group of Governmental Experts on Register reports

The Group of Qualified Governmental Experts convened by authority of GA resolutions 46/36 L and 48/75 E, which had established the *UN Register of Conventional Arms* in 1992, completed its report to the General Assembly on the continuing operation of the Register and its further development.

The Group met under the chairmanship of Ambassador Hendrik Wagenmakers of the Netherlands, who had also chaired the 1992 Panel of Experts that was charged with the elaboration of technical procedures for the effective functioning of the Register.

### Participation in first two years

The Group had at its disposal the data and information submitted by Governments to the Register by 1 August 1994 (covering the calendar years of 1992 and 1993), at which time 89 Governments had submitted reports for 1992 and 77 for 1993. The Group examined the data and information submitted by Member States from qualitative and quantitative points of view, considering ways to enhance further participation in the Register and to improve the clarity of the definitions of weapons and the efficacy of the reporting forms.

### Operation of the Register

In the process of its review of the operation of the Register, the Group noted *inter alia* that the major exporters had submitted data to the Register, thus covering the bulk of the international arms trade in the seven weapon categories. It also noted and welcomed the fact that many States that had neither exported nor imported arms in the relevant categories had submitted "nil" reports.

The Group observed that the returns for 1993 showed a substantial increase over 1992 in several weapon categories and in the total number of weapons systems transferred globally, as reflected in the data submitted by the major exporters. The Group noted, though, that two years of data were not sufficient to draw conclusions regarding long-term trends. In fact, assessing the significance of any trend in arms transfers would require *inter alia* analysis of the data in the context of regions and of the procurement of weapons through national production.

The value of the Register as a confidence- and security-building measure was stressed by the Group, which also noted the importance of Member States' commitment to the process.

### Wider participation through regions encouraged

Nothwithstanding the significant level of continuity in reporting to the Register, the Group nevertheless concluded that "wider participation leading to universal participation by Member States is of paramount importance". In both years of reporting, the degree of participation in the Register varied widely but fairly consistently among regions. In order to promote wider participation, the Group took the view that a regional approach might be beneficial and stressed the importance of the UN regional centres on peace and disarmament (in Kathmandu, Lima and Lomé) in facilitating the efforts carried out by regional organizations or forums aimed at promoting the Register.

### Developing the Register

Examining the further development of the Register, the Group considered three dimensions: *(a)* adjustments to the existing definitions for the seven categories of equipment; *(b)* the addition of new categories of conventional weapons; and *(c)* the early expansion of the scope of the Register, as called for in resolution 46/36 L.

### Review of definitions and additions of new categories in the future

The Group reviewed several proposals for adjustments to the existing definitions of the seven categories and for the addition of new categories of conventional weapons, but none commanded complete support. Thus it concluded that those matters should be kept under review in the future. It did nevertheless confirm the categories of equipment and their definitions contained in the report of the 1992 Panel of Experts (A/47/342).

The Group considered a proposal to add anti-personnel land-mines as a new category to the Register. ☞

While recognizing the terrible suffering caused by the misuse of AP land-mines, the Group concluded that the Register was not the appropriate mechanism to deal with this problem. It reasoned that the Register was designed as a confidence-building measure to contribute to the efforts aimed at preventing destabilizing accumulations of major conventional weapons beyond the quantity needed for legitimate self-defence. The Group's view was that the issue of AP land-mines was largely one of international legal regulation.

**Military holdings and procurement through national production**

As called for in resolution 46/36 L, the Group noted that for both calendar years a number of Member States had provided information on their military holdings and procurement through national production for the seven categories covered by the Register. While the Group reaffirmed the goal of early expansion of the Register by inclusion of such data on the same basis as that for transfers, it was not able to concur on such an inclusion at this time. Thus the Group agreed that further consideration of that issue was required.

**Regional aspects and small arms**

The Group encouraged regional and subregional efforts aimed at openness, confidence and transparency, which it felt would promote greater participation in the Register. In respect of the problem of some types of conventional weapons, including small arms not covered by the categories of the Register, which had been referred to by some States as one of the reasons for the lack of participation in the Register, the experts noted that it should be addressed primarily by States in the region or subregions concerned.

**Future reviews recommended**

The Group considered it important that periodical reviews of the continuing operation of the Register and its further development be conducted and recommended that the GA decide on the appropriate time for such reviews to take place at an early date.

The Group was comprised of governmental experts from Argentina, Australia, Brazil, Canada, China, Cuba, Egypt, Finland, France, Germany, Ghana, India, Israel, Japan, Jordan, Mexico, Netherlands, Pakistan, Russian Federation, Singapore, United Kingdom, United States and Zimbabwe.

Key resolutions dealing with the Register:

**46/36 L** of 1991 *inter alia* established the Register of Conventional Arms; called upon Member States to provide annually by 30 April for the Register data on imports and exports of conventional arms in seven categories: battle tanks; armoured combat vehicles; large-calibre artillery systems; combat aircraft; attack helicopters; warships; and missiles and missile launchers.

**47/52 L** of 1992 endorsed the recommendations of the 1992 Panel of Governmental Technical Experts.

**48/75 E** of 1993 reiterated the request to the Secretary-General to prepare a report with the assistance of a group of governmental experts on the continuing operation and further development of the Register for the 49th session.

## Biological Weapons Convention Special Conference

The 1991 Third Review Conference of the Parties to the 1972 *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction* decided to establish an Ad Hoc Group of Governmental Experts, open to all States Parties, to identify and examine potential verification measures from a scientific and technical standpoint. The Convention, which was negotiated and signed and entered into force during the cold-war period, has been said by many States to be in need of strengthening, as it lacks any means of international verification. The Group of Experts met for four sessions during 1992 and 1993, adopting a comprehensive report which identified 21 potential verification measures.

The report of the experts was circulated to all the States Parties and, as agreed at the Third Review Conference, after a majority of States Parties had asked the Depositary Governments—the Russian Federation, the United Kingdom and the United States—for the convening of a conference to examine the report, such a conference was convened. The *Special Conference* on the Convention opened on 20 September in Geneva, appointing Ambassador Tibor Tóth, who had chaired the Expert Group meetings, as its President. The Conference will meet until 30 September in order to decide the fate of the Expert Group's findings.

# Inhumane Weapons Convention

The Group of Governmental Experts to prepare the Review Conference of the States Parties to the *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects* held its third session from 8 to 19 August in Geneva.

**Another meeting of experts before Review Conference**

As had already been contemplated during the previous session, the Group concluded that it would need more time for a thorough consideration of the many proposals put forward and thus decided to hold another session **9-20 January 1995** in Geneva. It also decided that the first Review Conference of the Convention would take place sometime during the period **25 September-13 October 1995**, again in Geneva.

**Integrated draft text**

Towards the end of the session, the Chairman, on the basis of the deliberations in the various working groups established by the Group of Experts, agreed to elaborate an integrated draft "rolling text" of amendments to Protocol II of the Convention on land-mines and booby-traps. That text, together with progress reports from the three sessions of the Group of Experts, has been sent to States Parties to fulfil the Group's mandate to report back to the States Parties by year's end. The integrated draft text will be the basis for negotiations at the next session.

**Scope of application**

With respect to the *scope of application* of the land-mines Protocol, the Group has recorded no agreement so far on the principle of extending the application of the Convention to armed conflicts not of an international character, such as those carried out by dissident armed groups within a country's territory.

A proposal to ban not only the use but also the *develcpment, manufacture, stockpiling and transfer* of anti-personnel mines and booby-traps, as defined in the Protocol, and anti-personnel mines without self-destruction or self-neutralizing mechanisms, and to destroy those already in a State's possession, has not elicited consensus and will be reviewed at the next session.

**Verification**

No agreement has been reached on the principle of establishing a *verification* system for Protocol II or for the overall Convention. Thus discussion of related verification issues will continue at the next session.

**Technical assistance**

A proposal was advanced by several developing countries which would allow Parties to solicit technical and material assistance in removing or rendering ineffective anti-personnel mines on their territory. There is no agreement thus far on the inclusion of such a provision in the Convention.

**Other issues**

The Group considered proposals to ban weapons that cause blindness, naval mines and small-calibre weapon systems, but was not able to arrive at any substantive conclusion of those concerns. The issues most likely will be taken up by the Review Conference itself.

**Briefings for NGOs**

Pending a solution to the issues under the item dealing with the participation of NGOs in the meetings of the Group of Experts, the Chairman, Mr. Johan Molander of Sweden, has agreed to give periodic briefings to NGOs on the work of the Group.

**Preparing the Review Conference**

The three sessions of the Group of Governmental Experts in 1994 have covered much territory. The sheer quantity of formal and informal proposals put forward on the land-mines Protocol has proven that motivation is high at the multilateral level to improve the functioning and the effectiveness of the Convention's provisions. The consolidation of those suggestions into a Chairman's integrated draft text represents considerable progress in the work of the Group, as they are now reflected in treaty language, structured in the form of an amended draft Protocol, which allows for easy identification of the outstanding technical, legal and political issues. It will facilitate substantially the work of the next session of the Group. Nevertheless, it should be borne in mind that the Group is preparing the Review Conference, which is the ultimate arbiter of the Convention's future.

## Moratorium on AP land-mines

One part of the multi-pronged attempt of the international community to attenuate the damage inflicted on civilian populations in conflict and post-conflict situations by the indiscriminate and uncontrolled use of anti-personnel land-mines was the adoption by the 48th session of the General Assembly (1993) of a resolution calling upon all States to agree to a moratorium on the export of such mines (resolution 48/75 K). The resolution was introduced and supported strongly by the United States, which had declared a unilateral moratorium on such exports for a one-year period in October 1992. On 30 November 1993, the United States extended its moratorium for three more years.

In the same resolution, the General Assembly requested that the Secretary-General submit a report to the 49th session this year on progress made in respect of the export ban.

As at 30 June 1994, fourteen Governments had supplied the Secretariat with information regarding the export ban (see chart).

*"It's a cruel irony; the war is over, but the land-mines remain, with the power to kill or maim farmers, returnees and relief workers alike"*, said Philip Clarke of the World Food Programme, Country Director in Maputo, Mozambique. *"Demining is going too slowly; it must proceed quickly on priority roads if Mozambique is to start on the path of agricultural and economic recovery."* The estimate of land-mines in Mozambique varies between the United Nations figure of 2 million and the assessment of hundreds of thousands by Human Rights Watch/Africa in its 1994 report "Land-mines in Mozambique".

Estimates of land-mines in Angola range from 20 million to 10 million or less. *"In the brief period of peace before the elections, the WFP cleared roads and repaired bridges and railways to deliver aid safely all over the country. We have the experience; we are ready to do it again"*, said Philippe Borel, WFP Country Director for Angola. *"Sadly, we can only minimize the risks. Once sown, a land-mine can wait patiently many years until a child's footfall wakes it up to its task of destruction."* United Nations Press WFP/971 of 16 June 1994.

| Information from Governments on status of GA call for moratorium on export of AP land-mines* *as at 30 June 1994 | |
|---|---|
| Argentina | Declared moratorium on the export of anti-personnel land-mine for five years. |
| Austria | The export of AP mines is governed by same rules as other armaments, that is, they may not be sold in regions where armed conflicts exist or that are conflict-prone. |
| Belgium | Indefinite moratorium. |
| Canada | Indefinite moratorium until a permanent agreement is reached. |
| Finland | Does not export AP mines. |
| France | A moratorium on all types of AP land-mines, regardless of their destination. |
| Germany | Declared moratorium initially for three years. |
| Greece | Declared moratorium without exception on export, sale or transfer of AP land-mines. |
| Israel | Two-year moratorium. |
| Malta | Fully supports the thrust and objectives of the resolution. |
| Spain | One year moratorium. |
| Turkey | Is not an exporter of anti-personnel land-mines. |
| Ukraine | Is working out national measures to introduce a moratorium. |
| United States | A further moratorium for three-years. |

On 9 June 1994 the twenty-fourth session of the **Organization of American States** (OAS) General Assembly adopted a resolution entitled **"Regional contribution to global security: anti-personnel landmines"**, which, *inter alia*, called upon those of its member States that had not already done so to take all necessary measures to become Parties to the 1980 Inhumane Weapons Convention and to give impetus to global efforts to deal with the question of land-mines by recommending that the OAS Special Committee on Hemispheric Security consider that issue.

## Verification study under way

The Group Of Governmental Experts preparing a study on verification in all its aspects, including the role of the United Nations, held its second session 11-22 July in New York. As requested in resolution 48/68 in 1993, the Group of Experts, led by Ambassador Peggy Mason of Canada, is examining the question of verification as a follow-up to the 1990 study on the role of the United Nations in the field of verification for presentation to the General Assembly at its 50th session, in 1995.

**Verification based on experience**

The Group is assembling a report based on material from many sources. No longer limited to the realm of the theoretical, a study of verification today can call upon the experience gained in the implementation of the body of bilateral, regional and international disarmament and arms limitation agreements. And that body of agreements is growing. The UN Special Commission is moving into a new stage in the implementation of its mandate, that is, the permanent monitoring of weapons of mass destruction in Iraq. Negotiators are busy in Geneva elaborating complex provisions for verifying a future CTBT. The States Parties to the Biological Weapons Convention are meeting to examine the report of the Group of Governmental Experts on scientific and technical aspects of verifying that Convention. In that light, and in view of the extensive changes in the political map, the Group is taking a fresh look at the future of verification.

**Verification from many sources**

The Group has before it information and papers received from individuals and organizations such as the Chairman of the Conference on Disarmament's Ad Hoc Group of Seismic Experts, the Conference on Security and Cooperation in Europe's Conflict Prevention Centre in Vienna, the Executive Director of the United Nations Special Commission (UNSCOM), the International Atomic Energy Agency (IAEA), NATO, the Preparatory Committee for the Organization for the Prohibition of Chemical Weapons (OPCW-The Hague), the Stockholm International Peace Research Insitute (SIPRI), the Verification Technology Information Centre (VERTIC-London) and the UN Institute for Disarmament Research (UNIDIR-Geneva).

The Group is composed of experts from Argentina, Austria, Canada, China, Egypt, Hungary, India, Kenya, Mexico, Netherlands, Nigeria, Republic of Korea, Russian Federation, Sri Lanka, Sweden and Venezuela. A representative of IAEA is observing the meeting. The Group has engaged the services of a consultant, Dr. Patricia McFate of the Center for National Security Negotiations (Virginia, USA), who has written extensively on arms control verification issues.

The United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean has published two volumes in Spanish focusing on security questions in that region. *Paz y Seguridad en América Latina y el Caribe en los Noventa* is a collection of articles from 17 academics and intellectuals from Latin America and the Caribbean discussing the future of regional security. *Proliferación de Armamentos y Medidas de Fomento de la Confianza y la Seguridad en América Latina* contains the proceedings of a United Nations Seminar on Arms Proliferation and Confidence-building Measures and Security in Latin America, held 18 to 20 January 1993 in Asunción, Paraguay, with financial backing from Canada and Norway Copies of both books can be obtained by writing to the United Nations Regional Centre in Lima at the address on the last page of the *Newsletter*.

# OAU Council of Ministers adopts resolution on nuclear-weapon-free zone in Africa

At a meeting in Tunis in June this year, the Organization of African Unity (OAU) Council of Ministers adopted a resolution on the question of the establishment of a nuclear-weapon-free zone in Africa. The OAU has been seeking the goal of the denuclearization of the entire African continent since 1964. The political changes that have taken place in the region of southern Africa, and in South Africa itself, especially the disclosure of the existence and destruction of South Africa's nuclear weapons, and subsequent verification by the International Atomic Energy Agency have made the achievement of that goal a real possibility.

A Group of Governmental Experts, representing all regions of Africa, and in which South Africa participated as an observer, held five sessions—Addis Ababa in 1991, Lomé in 1992, Harare in 1993, Windhoek and Addis Ababa in 1994—in order to prepare a *draft treaty on a nuclear-weapon-free zone in Africa.* The draft, circulated to all the Members of the OAU, was well received by the Council of Ministers, who expressed their appreciation for the work of the Group of Governmental Experts and the UN in its preparation.

**Additional meeting envisaged**

The Council of Ministers acknowledged the need for a further meeting of the Group of Experts jointly with an OAU Intergovernmental Group of Experts devoted to the same subject in order to discuss any comments collected from OAU members by November of this year. Particularly important in the discussions will be the delimitation of the zone of application of the future treaty, that is, the map of the geographical area to which the agreement will apply.

The General Assembly at its 49th session will consider the subject this fall. It is expected that a resolution will be submitted welcoming the progress being made on the text and requesting the Secretary-General of the UN to assist in the convening of an additional meeting of the experts in cooperation with the OAU.

**Final draft in 1995**

The end-of-the-year meeting is expected to produce a final text and the relevant map, with a view to having an signature ceremony some time in the first half of 1995.

# Central African Ministers initial Non-Aggression Pact

The Governments of Cameroon, Central African Republic, Congo, Equatorial Guinea, Gabon and Sao Tomé and Principe, six of the eleven members of the *Standing Advisory Committee on Security Questions in Central Africa,* initialed the *Non-Aggression Pact* at the fifth ministerial meeting of the Committee in Yaoundé, Cameroon, 8-9 September. Unanimously adopted at the third ministerial meeting held in Libreville (Gabon) last year, the Pact is intended to foster a climate of confidence in the field of security among Governments in the region so as to promote economic and social cooperation. Angola, Burundi, Chad and Zaire reaffirmed their commitment to the Pact and their readiness to sign it at a special summit meeting to be arranged for that purpose at a date in the near future. Rwanda was the only State from the region which did not participate in the meeting.

## New publications

*Security, Disarmament and Confidence-building in the CIS Context*, Topical Papers 19, published by the Centre for Disarmament Affairs (United Nations Publication, Sales No. E.94.IX.10).

This publication contains material presented at a Symposium held in Kiev, Ukraine, 27-30 September 1993, organized by the Centre in collaboration with the Government of Ukraine.

*Transparency in Armaments, Regional Dialogue and Disarmament*, Topical Papers 20, published by the Centre for Disarmament Affairs (United Nations Publication, Sales No. E.94.IX.12).

This publication is based on material presented at a Conference held in Hiroshima, Japan, 24-27 May 1994, organized by the Centre for Disarmament Affairs through its Regional Centre for Peace and Disarmament in Asia and the Pacific and in collaboration with the Government of Japan and the Prefecture and City of Hiroshima.

"In the face of recent fundamental changes in the international situation, regional and subregional issues have acquired additional urgency and importance in the field of disarmament and international security. The pursuit of regional solutions to regional problems is thus being encouraged by the international community. Towards that end, the UN Centre for Disarmament Affairs seeks to promote regional approaches to disarmament either through the UN Regional Centres for Peace and Disarmament or in cooperation with individual Governments.

"Regional conferences, meetings and seminars to facilitate exchange of ideas and information between governmental and non-governmental sectors, and between governmental and other experts, have been organized as a means of finding common ground, fostering the process of confidence-building and delineating areas of possible future negotiation and agreement." (from the Preface of both issues).

## *Received by the General Assembly*

At the close of the *G-7 Summit* (Naples, 8-10 July 1994), the Chairman, Silvio Berlusconi, Prime Minister of Italy, issued a *statement on behalf of the Group*, submitted to the General Assembly on 15 July 1994 (A/49/228-S/1994/827). The Group characterized the proliferation of weapons of mass destruction as one of the most serious threats to international peace and security. It called upon all States that had not yet done so to accede to the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States; declared unequivocal support for the indefinite extension of the Treaty in 1995; underlined the importance of continuing nuclear arms reduction and confirmed the Group's commitment to achieve universal, verifiable and comprehensive treaties to ban nuclear tests and the production of fissile material for use in nuclear weapons. The Group reaffirmed its commitment to the earliest possible entry into force of the chemical weapons Convention, welcomed the convening of the special conference of States parties to the biological and toxin weapons Convention, and expressed its support for full implementation of the United Nations Register of Conventional Arms and its willingness to cooperate in the prevention of nuclear smuggling. The G-7 assigned priority to the problems posed by anti-personnel land-mines and to efforts to curb their indiscriminate use, halt their export, and assist in their clearance world-wide. The Group would work for effective export controls to ensure that trade in armaments and sensitive dual-use goods was conducted responsibly and would encourage non-proliferation efforts in the Middle East and South Asia.

# CALENDAR

## 1994

| | | |
|---|---|---|
| 19-30 September | Geneva | Special Conference of the States Parties to the Biological Weapons Convention |
| 20 September | New York | Opening of the 49th regular session of the General Assembly |
| 17 October | New York | First Committee substantive session to begin (to be preceded by meetings on organizational matters) |
| 24-30 October | New York | Disarmament Week 1994 |
| 28 October | New York | 13th Pledging Conference for the UN Disarmament Information Programme |
| 28 November-16 December (might be extended) | Geneva | Conference on Disarmament - Ad Hoc Committee on a Nuclear Test Ban - Intersessional meetings |
| December | New York | Disarmament Commission - Two-day organizational meeting |

## 1995

| | | |
|---|---|---|
| January | Geneva | Advisory Board on Disarmament Matters |
| 9-20 January (tent.) | Geneva | Conference on Disarmament - Ad Hoc Committee on a Nuclear Test Ban - Intersessional meetings |
| 9-20 January | Geneva | Group of Governmental Experts to prepare the Review Conference on the Inhumane Weapons Convention - Fourth session |
| 23-27 January | New York | Preparatory Committee for the 1995 NPT Conference - Fourth session |
| 30 January-7 April<br>29 May- 7 July<br>31 July-22 September | Geneva | Conference on Disarmament - First part<br>- Second part<br>- Third part |
| 13-15 February (tent.) | Kathmandu | United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific - Annual regional meeting |
| 15 May-5 June (tent.) | New York | Disarmament Commission (dates to be set by organizational session) |
| 12-16 June | Nagasaki | United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific - Conference on Disarmament Issues |
| 19 September | New York | Opening of the 50th regular session of the General Assembly |
| 24-30 October | New York | Disarmament Week 1995 |

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